

S008398

2006, 2007, 2008

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record  
PACIFIC GAS AND ELECTRIC COMPANY

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:  
PACIFIC GAS AND ELECTRIC COMPANY  
PO BOX 770000-N11E  
SAN FRANCISCO, CA 94177

Agent:  
Address:

Phone No. 415-973-6950  
Fax No.  
Email Address:

Phone No.  
Fax No.  
Email Address:

Source Name: DIABLO CANYON CREEK  
Tributary to: PACIFIC OCEAN  
County: SAN LOUIS OBISPO  
Diversion within: 1/4 OF 1/4 SECTION 1, T1N, R1E, MDB&M.

Year of First Use: 1968  
Name of Diversion works:  
Assessor Parcel Number  
of the Diversion site:

2009 JUL -6 PM 1:34  
DIVISION OF WATER RIGHTS  
SACRAMENTO

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 claim ☐ Court Decree No.:  Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Water Rights database (erims))

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:  
Gallons per minute (gpm)  Gallons per day (gpd)  Cubic feet per second (cfs)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Average Rate
2006													
2007													
2008													

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:  
Gallons:  Million Gallons (MG)  Acre-feet (AF)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual
2006	X	X	X	X	X	X	X	X	X	X	X	X	
2007	X	X	X	X	X	X	X	X	X	X	X	X	
2008	X	X	X	X	X	X	X	X	X	X	X	X	

E. **Purpose of Use:** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation  acres; Stockwatering  Domestic ;  
Other (specify)  Electric power generation - steam and process supply at Diablo Canyon Nuclear Powerplant

Parcel Number(s) or Place of Use:

F. **Changes in Method of Diversion:** - Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☐  
Describe any water conservation efforts you have initiated:

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:  
Year  (AF/MG) Year  (AF/MG) Year  (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO \_\_\_\_\_

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

a. Are you now using ground water in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 30, 20 09 at San Francisco, California

SIGNATURE: *J. R. Ray for Randal S. Livingston*

PRINTED NAME: Randal S. Livingston  
(first name) (middle name) (last name)

COMPANY NAME: PACIFIC GAS AND ELECTRIC COMPANY

ITEM CONTINUATION

C. There is no gage for this diversion.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.





S008398%\$%2005

2003, 2004, 2005

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**Please Complete and Return This Form by JULY 1, 2005.**

**\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

**Owner of Record:** PACIFIC GAS AND ELECTRIC COMPANY;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**PACIFIC GAS AND ELECTRIC COMPANY**

**PO BOX 770000-N11E**

**SAN FRANCISCO, CA 94177**

STATEMENT NO.: S008398  
CONTACT PHONE NO.: (916) 973-6950

STATE WATER RESOURCES  
CONTROL BOARD  
2006 JUN 31 PM 12:52  
DIV. OF WATER RIGHTS  
SACRAMENTO

**Source Name:** DIABLO CANYON CREEK

**Tributary To:** PACIFIC OCEAN

**County:** San Luis Obispo

**Year of First Use:** 1968

**Diversion Within:** 1/4 of 1/4 Section 01, T01N, R01E, MB&M

**Parcel Number:**

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right ☐ Other (explain):

B. **Year of First Use:** (Please provide if missing above)

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)			Acre-feet (AF)			Other			Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2003	X	X	X	X	X	X	X	X	X	X	X	X	
2004	X	X	X	X	X	X	X	X	X	X	X	X	
2005	X	X	X	X	X	X	X	X	X	X	X	X	

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation  acres; Stockwatering ; Domestic

Other (specify) Electric power generation - steam and process supply at Diablo Canyon Nuclear Powerplant

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒  
Describe any water conservation efforts you have initiated:

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year  (AF/MG) Year  (AF/MG) Year  (AF/MG)

Reduction in consumptive use:

Year  (AF/MG) Year  (AF/MG) Year  (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

ality and wastewater reclamation

you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to  
gree, which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO X

u are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914  
propriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water  
ly used:

unt of reduced diversion:

\_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

e the type of substitute water supply: \_\_\_\_\_

unt of substitute water supply used:

\_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

ve data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_ NO \_\_\_\_

ve use of surface water and groundwater

you now using groundwater in lieu of surface water? YES \_\_\_\_ NO X

u are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water  
e, please show the amounts of groundwater used:

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uture.

he information in this report is true to the best of my knowledge and belief.

ly 25, 2006 at San Francisco, California

*J. R. Ray for Randal S. Livingston*

ME: J. R. Ray for Randal S. Livingston

(first name) (middle initial) (last name)  
Pacific Gas and Electric Company

AME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

CONTINUATION

There is no gage for this diversion.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to  
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be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return  
water, or other "foreign" water to the natural stream system.

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ets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and  
r in California.

Info: (916) 657-2170, FAX (916) 657-1485, Web: <http://www.waterrights.ca.gov>

2001 JUL 23

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

**Notify this office if ownership or address changes occur during the coming year.**

DR. J. L. ... ITS  
SACRAMENTO

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000**

**OWNER OF RECORD:** PACIFIC GAS AND ELECTRIC COMPANY

PACIFIC GAS AND ELECTRIC COMPANY  
C/O MANAGER, HYDRO GENERATION  
PO BOX 770000 P10A  
SAN FRANCISCO, CA 94177

STATEMENT NO: S 008398



**SOURCE:** DIABLO CANYON CREEK  
**TRIBUTARY TO:** PACIFIC OCEAN  
**COUNTY:** SAN LOUIS OBISPO  
**DIVERSION**  
**WITHIN:** 1/4 OF 1/4 SECTION 1,

**TELEPHONE NUMBER:**

(415) 973-4602

**YEAR OF FIRST USE:** 1968

**PARCEL NO:**

- A. Water is used under:      Riparian Claim      X      Pre 1914 right      \_\_\_\_\_      Other (explain)      \_\_\_\_\_
- B. Year of first use (Please provide if missing above)      \_\_\_\_\_ .
- C. Amount of use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: gallons

**Acre-feet**

Other

[illegible]

- D. Purpose of use - Specify number of acres irrigated, stock watered, persons served, etc.**

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_

Other (specify) Electric power generation - steam and process supply at Diablo Canyon Nuclear Powerplant

- E. **Changes in method of Diversion** - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. Please answer only those questions below which are applicable to your project.**

### 1. Conservation of water

- a. Are you now employing water conservation efforts? YES \_\_\_\_ NO \_\_\_\_  
Describe any water conservation efforts you have initiated:

**Describe any water conservation efforts you have initiated:**

- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved.

**Reduction in diversions:**

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

**Reduction in consumptive use:**

19 \_\_\_\_\_ (af/mg)    19 \_\_\_\_\_ (af/mg)    19 \_\_\_\_\_ (af/mg)

**I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_**

2. Water Quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO \_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 \_\_\_\_ (af/mg) 19 \_\_\_\_ (af/mg) 19 \_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_ NO \_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water code, please show the amounts of groundwater used:

19 \_\_\_\_ (af/mg) 19 \_\_\_\_ (af/mg) 19 \_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: JUL 19 2001, 20 01 at San Francisco, California

SIGNATURE:

*Randal*

*S. Livingston*

*JRR*

PRINTED NAME:

Randal

S.

Livingston

(first name)

(middle init.)

(last name)

COMPANY NAME:

PACIFIC GAS AND ELECTRIC COMPANY

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

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State of California  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 657-2170, FAX (916) 657-1485, Web: <http://www.waterrights.ca.gov>

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000**

**OWNER OF RECORD:** PACIFIC GAS AND ELECTRIC COMPANY

PACIFIC GAS AND ELECTRIC COMPANY  
C/O MANAGER, HYDRO GENERATION  
PO BOX 770000 P10A  
SAN FRANCISCO, CA 94177

STATEMENT NO: S 008398



**SOURCE:** DIABLO CANYON CREEK  
**TRIBUTARY TO:** PACIFIC OCEAN  
**COUNTY:** SAN LOUIS OBISPO  
**DIVERSION**

**WITHIN:** 1/4 OF 1/4 SECTION 1, T1N, R1E, MDB&M.

**TELEPHONE NUMBER:**

(415) 973-4602

**YEAR OF FIRST USE:** 1968

**PARCEL NO:**

A. Water is used under: Riparian Claim ☒ Pre 1914 right \_\_\_\_\_ Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: gallons \_\_\_\_\_

Acre-feet \_\_\_\_\_

Other \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual
1994	X	X	X	X	X	X	X	X	X	X	X	X	
1995	X	X	X	X	X	X	X	X	X	X	X	X	
1996	X	X	X	X	X	X	X	X	X	X	X	X	

D. Purpose of use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_;

Other (specify) Electric power generation - steam and process supply at Diablo Canyon Nuclear Powerplant

E. Changes in method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

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Reduction in diversions:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

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19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

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19 \_\_\_\_ (af/mg) 19 \_\_\_\_ (af/mg) 19 \_\_\_\_ (af/mg)  
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- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_
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19 \_\_\_\_ (af/mg) 19 \_\_\_\_ (af/mg) 19 \_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: JUL 19 2001, 20 01 at San Francisco, California

SIGNATURE:

Randal S. Livingston JRL

PRINTED NAME:

Randal S. Livingston  
(first name) (middle init.) (last name)

COMPANY NAME:

PACIFIC GAS AND ELECTRIC COMPANY

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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**\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\***

# STATE WATER RESOURCES CONTROL BOARD

## DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

### SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S008398  
OWNER OF RECORD: PACIFIC GAS AND ELECTRIC COMPANY

PACIFIC GAS AND ELECTRIC COMPANY  
C/O MANAGER, HYDRO GENERATION  
PO BOX 770000 P10A  
SAN FRANCISCO, CA 94177

SOURCE: DIABLO CANYON CREEK  
TRIBUTARY TO: PACIFIC OCEAN  
COUNTY: SAN LUIS OBISPO  
DIVERSION

TELEPHONE NUMBER:

(415) 973-4603

YEAR OF FIRST USE: 1968

PARCEL NO:

WITHIN: 1/4 OF 1/4, SECTION 1, T1N, R1E, MDB&M.

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995**

- A. Water is used under: Riparian Claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:

☐ Gallons

☐ Acre-feet

☐ (other) \_\_\_\_\_

Water diverted from Diablo Canyon Creek

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEP.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	X	X	X	X	X	X	X	X	X	X	X	X	—
1993	X	X	X	X	X	X	X	X	X	X	X	X	—
1994	X	X	X	X	X	X	X	X	X	X	X	X	—

- D. Purpose of use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; stock watering \_\_\_\_\_; Domestic \_\_\_\_\_ \*X

Other (specify) \_\_\_\_\_ Electric power generation - steam and process supply

\* at Diablo Canyon Nuclear Power Plant for approximately 1,500 persons.

**\*\*\* CONTINUE ON BACK PAGE \*\*\***

**\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\***

- E. Changes in method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

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- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: SEP 26 1996, at San Francisco, California

SIGNATURE: Jeffrey D. Butler by JRR

PRINTED NAME: Jeffrey D. Butler  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: PACIFIC GAS AND ELECTRIC COMPANY

**GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA**

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriations.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

Statements of Water Diversion and Use  
Information Pertaining to Water Rights in California  
Water Rights for Stockponds Constructed Prior to 1969"  
Appropriation of Water in California

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
STATEMENT OF WATER DIVERSION AND USE

*This statement should be typewritten or legibly written in ink.*

S 8398

A. Name of person diverting water Pacific Gas and Electric Co.  
Address 77 Beale Street, San Francisco, California 94106

B. Name of body of water at point of diversion Diablo Canyon Creek  
Tributary to Pacific Ocean

C. Place of diversion Rancho Canada De Los Osos y Pecho y Islay  
San Luis Obispo County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks. (Sketch attached)

D. Name of works Diablo Canyon Creek, Point of Diversion No. 1

E. Capacity of diversion works 200 GPM  
Capacity of storage reservoir -  
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1973	Approximately	equal	monthly	amount									22 Ac-ft

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.  
Plant Construction including domestic use (number of persons varies).

Maximum annual water use in recent years 34 Ac-ft (1969)

Minimum annual water use in recent years 18 Ac-ft (1973)

Type of diversion facility: gravity ☒ ~~pump~~ to offstream pump.

Method of measurement: weir ☐, flume ☐, electric power meter ☐, water meter ☐, estimate ☒

F. Purpose of use (what water is being used for) In connection with the construction of Diablo Canyon Power Plant which includes domestic use.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)  
Diablo Canyon Power Plant (sketch attached)

H. Year of first use as nearly as known 1968

I. Name of person filing statement E. E. Hall  
Position Chief Siting Engineer (Organization Pacific Gas and Electric Co.)  
Address 77 Beale Street, San Francisco, California 94106

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.  
Dated: October 4, 19 74, at San Francisco, California.

Signature: E. E. Hall

See Instructions on Reverse Side